formed on an outer surface of said end plate and provided on surfaces thereof opposite to said end plate with mating engagements, respectively.

REMARKS

This Amendment is being submitted pursuant to 37 C.F.R. §1.116 in response to the outstanding Final Official Action dated May 21, 1998, the shortened statutory period having expired on August 21, 1998. Applicants submit herewith a Three Month Extension Petition to reset the deadline for response to the Final Official Action to and including November 21, 1998. In addition, Applicants submit herewith a Notice of Appeal directed to the rejected claims as set forth in the Final Official Action. In view of the above amendments and within remarks, reconsideration of the Examiner's rejection is respectfully requested.

Turning to the Official Action, claims 1-33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sasaki, et al., Japanese Patent No. 8242526 in view of Nimiya, et al., U.S. Patent No. 4,933,512. The Examiner states that Sasaki, et al. discloses all of Applicants' claimed features except for a gasket including an adhesive between the end plates and the sleeve. To this end, the Examiner refers to Nimiya, et al. as showing a gasket 60 including an adhesive between the end plates 40 and the sleeve 20. In the Examiner's opinion, it would have been obvious to one of ordinary skill at the time the invention was made to modify the closure of Sasaki, et al. by incorporating a gasket including an adhesive between the end plates and sleeves, as taught by Nimiya, et al. in order to increase the sealing capabilities between the plates and the sleeves, and to provide a secondary sealing means between the plates and the sleeves in case the inherent sealing capabilities of the plate

fail. In view of the within remarks, the Examiner's rejection is considered traversed and should therefore be withdrawn.

Turning to independent claim 1, such claim has been amended wherein the end plates each are formed of "rubber plastic material." In addition, claim 1 requires that the gasket which includes an adhesive, be interposed between the outer periphery of the end plate and an inner surface of the sleeve so as to "cover an outer end of said slit", which slit is formed in the end plates. It is Applicants' opinion that it would not be obvious to one having ordinary skill in the art to provide the end plate of Sasaki, et al. with the gasket of Nimiya, et al. in the arrangement as claimed by Applicants, and in particular, to cover an outer end of the slit.

First, as previously pointed out to the Examiner in Applicants' prior Communication, the end plate of Sasaki, et al. is made of a rubber elastic material and is provided on its outer periphery with a plurality of circumferential projections 26 which serve as an air-tight seal between the inner periphery of the sleeve and the outer periphery of the end plate. Accordingly, Sasaki, et al. teaches that the circumferential projections 26, without more, is sufficient for providing an air-tight seal and that other sealing mechanisms are not warranted or necessary. Thus, at the outset, there is no need for any modification of Sasaki, et al. to provide any additional sealing means, such as the gasket suggested by the Examiner as purportedly disclosed in Nimiya, et al. Certainly, there is no suggestion of providing the gasket of Nimiya, et al. over the outer end of the slit in the end plate of Sasaki, et al.

In support of Applicants' position is the fact that Nimiya, et al. teaches that its end plates 40 are made of a rigid material such as plastic which are devoid of any slit as claimed by Applicants. By virtue of the end plates being made of rigid

plastic material, it is necessary for Nimiya, et al. to use an elastic tape 60 which is wound around the outer recessed portions 42B of the end plate as best shown in Fig. 5. As clearly shown in Fig. 5, the elastic tape is not provided over the entire circumferential surface of the end plate 40, but only within the recessed portions 42B, thereby leaving exposed flange portions 42A. To the extent one would even consider using the elastic tape of Nimiya, et al. in the closure of Sasaki, et al., one would provide the tape only over a limited portion of the exposed peripheral edge of the end plate such as taught by Nimiya, et al. As such, the elastic tape would not cover the outer end of the slit in the end plate provided in Sasaki, et al. Accordingly, even the combination suggested by the Examiner would not result in a gasket including an adhesive being interposed as claimed by Applicants to "cover an outer end of said slit." As such, the combination of Sasaki, et al. and Nimiya, et al. as suggested by the Examiner would not result in Applicants' claimed invention. Hence, the combination cannot render obvious Applicants' claimed invention.

From the foregoing, it is clear that the sealing principles of Sasaki, et al. and Nimiya, et al. are contrary to one another. On the one hand, Sasaki, et al. makes use of the inherent properties of its end plate being made from rubber elastic material and the provisions of circumferential projections to form an air-tight seal. On the other hand, Nimiya, et al. employs a separate elastic material formed within recessed portions 42B of its end plate which is made of a rigid material necessitating the use of the elastic material to create a seal. Sasaki, et al. provides no suggestion that any additional sealing element, such as Nimiya et al.'s elastic tape is required to provide an air-tight seal. Nor does Sasaki, et al. or Nimiya, et al. suggest the desirability of providing the

elastic tape over the outer end of the slit in the end plate of Sasaki, et al. Accordingly, one having ordinary skill in the art would not seek to modify Sasaki, et al. to provide the elastic tape as disclosed in Nimiya, et al., as Sasaki, et al. is sufficient in itself to provide the air-tight seal desired. Accordingly, the Examiner's rejection that Applicants' claims are deemed obvious over Sasaki, et al. in view of Nimiya, et al. is considered traversed and should therefore be withdrawn.

Turning to Applicants' remaining claims 2-30, 32 and 33, of which claim 32 is presented in independent form, the Examiner once again contends that Sasaki, et al. discloses or renders obvious the features set forth in the aforementioned claims. To this end, the Examiner has broadly referred to certain features of Sasaki, et al, as set forth in paragraph 1 of the Official Action. Specifically, the Examiner states that Sasaki, et al. discloses a closure comprising a pair of semicylindrical sleeve members 1 vertically separable surrounding a cable connection section, wherein each has an abutting joint surface on the sides through which the sleeve members are joined; end plates 3 on opposite ends of the sleeve, each formed of rubber and having a cable guide hole 20; hinges and fasteners, inclusive of members 27, 28, 30, 34, releasably hooked between and connecting the sleeve members; end plates formed with slits, inclusive of 22, 25, extending from the guide holes to an outer periphery of the end plate; and guide hole caps 21 with rigidity holding members viewed as the surfaces between the caps and the holes.

Contrary to the Examiner's position, Sasaki, et al. does not render obvious certain of Applicants' claimed features. Regarding claim 3, referring to Fig. 6 or Fig. 20(b) of Sasaki, et al., there is no disclosure of a third rigidity holding member

which is detachably fitted in the cable guide hole as claimed, see elements 25 and 20, respectively, in Applicants' Fig. 7.

Regarding claims 4, 11-21, 32 (independent) and 33, though Sasaki, et al. discloses a cable clamp including a clamp body having curved holding members 17, the recessed portions of the clamp body and curved holding members are each formed on an inner surface thereof with a plurality of projections for biting into a sheath of a cable, as shown in Fig. 17. Sasaki, et al., therefore, does not disclose Applicants' claimed holding spacers 33 (see Fig. 14), as specifically claimed in these claims.

Regarding claim 7, Sasaki, et al. does not disclose a holder 31 provided on the end plate 3 and formed with a recess 30, and a projection 40 of the cable clamp 4 adapted to fit in the recess 30, as claimed in this claim, see Applicants' Figs. 8 and 12.

Regarding claims 9 and 10, each of the screws 19 of Sasaki, et al. is threaded into the clamp body 16, and thus Sasaki, et al. does not disclose, see Applicants' Fig. 14, a pivotal element 19_1 into which the screw 19 is inserted and which is pivotally supported on the clamp body 16, as claimed in claims 9 and 10.

Regarding claim 22, Sasaki, et al. discloses a pair of hinge mechanisms each constituted by a hinge hole 28 and a hinge rod 27 and a plurality of buckles 30. However, the hinge mechanisms 27, 28 and buckles 30 are different from the hinges 60 and fasteners 70, as claimed in claim 22.

Regarding claims 23-25, Sasaki, et al. does not disclose, see Applicants' Figs. 35A and 36, a recess 76 between the outer edges of the abutting joint surfaces of the sleeve members 1, 2 and a retaining member 77 provided on the ring of the fastener 70 or hinge 60, as claimed in these claims.

Regarding claim 26, Sasaki, et al. does not disclose, see Applicants' Fig. 36, a stopper 64 for holding the first ring 61 of the hinge 60 at a predetermined angle, as claimed in this claim.

Regarding claim 27, Sasaki, et al. does not disclose that the opposite ends of the recess 6 for the gasket 7 are each reduced in width, as claimed in this claim.

Regarding claim 28, Sasaki, et al. does not disclose, see Applicants' Fig. 4, barriers 65 provided on both side edges of the sleeve members 1, 2, as claimed in this claim.

Regarding claims 29 and 30, the air-tight tape having the properties as claimed is of a considerably low hardness as compared with the air-tight tape disclosed in Nimiya, et al. which has a Shore durometer harness of about 55 degrees measured by the A-type spring hardness tester. (col. 6, line 66; col. 7, line 2).

As such, though there are many differences between the claimed features of the present invention and the teachings of the cited references, the Examiner has not cited any reference relevant to such claims. Accordingly, the aforementioned features as set forth in the above specified claims are deemed to be both novel and unobvious over Sasaki, et al. either alone or in combination with Nimiya, et al. Notice to that effect is respectfully requested.

As all claims now pending in the application possess the requisite novelty and unobviousness over the prior art of record, Notice of Allowance is now in order. If, for any reason, the Examiner is of the opinion that such action cannot be taken at this time, he is invited to telephone the undersigned at (908) 654-5000, so as to overcome any additional issues that may need resolution. If there are any fees to be incurred in connection

with this response, the Examiner is authorized to charge Deposit Account No. 12-1095.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
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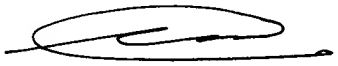

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